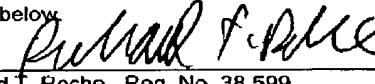


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SEP 07 2004

Docket No.: 480821.90116

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Date of Signature
and Deposit: September 7, 2004


Richard T. Roche, Reg. No. 38,599**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Andrew J. Turberfield *et al.*
Application No.: 10/088,403
Filing date: 11/11/2002
Title: Photonic Crystal Materials
Art Unit: 1752
Examiner: Thorl Chea

AMENDMENT AND RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed on May 5, 2004. The three month deadline for response was August 5, 2004. Applicants attach a request for a one-month extension of time to extend the deadline to September 7, 2004 as September 5 was a Sunday and September 6 was the Federal Labor Day holiday.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 6 of this paper.

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Milwaukee, Wisconsin
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414/277-6000
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414/277-5591

Attorneys at Law in
Milwaukee and Madison, Wisconsin
Naples and Boca Raton, Florida
Phoenix and Tucson, Arizona
Chicago, Illinois (Quarles & Brady LLC)

SEP 07 2004

FAX TRANSMITTAL COVER SHEET

To: Examiner Thorl Chea

FAX: 17038729306

Phone:

From: Richard Roche

Phone:

FAX: 414-978-8805

Number of Pages (including cover sheet): 17

Date & Time Filed: Tuesday, September 07, 2004 5:15:22 PM

Message:

Attached is an amendment for:

Applicants: Andrew J. Turberfield et al.
Application No.: 10/088,403
Filing date: 11/11/2002
Title: Photonic Crystal Materials
Art Unit: 1752
Examiner: Thorl Chea

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 110.00)

Complete if Known

Application Number	10/088,403
Filing Date	11/11/2002
First Named Inventor	Andrew J. Turberfield et al.
Examiner Name	Thori Chea
Art Unit	1752
Attorney Docket No.	480821.90116

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:
 Deposit Account Number
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 17-0055
 Quarles & Brady LLP

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$ 0.00)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20*	=	
			-3**	=	

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ 0.00)		

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	110
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3) (\$ 110.00)			

(Complete if applicable)

Name (Print/Type)	Richard T. Roche	Registration No. (Attorney/Agent)	38,599	Telephone	414-277-5805
Signature	<i>Richard T. Roche</i>				
		Date	9-7-04		

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